

FarSight™

Patent Services

Gary R. Fabian, Ph.D.
 Registered U.S. Patent Agent
 1163 Ruby Street
 Redwood City, CA 94061
 Telephone/Facsimile (650) 780-9030
 GRFabian@FarSightPatent.com

Fax Cover Sheet

Date: Monday, September 10, 2007 **Time:** 3:25 PM

To: Commissioner for Patents
 United States Patent and Trademark
 Office **Phone:** none

From: Gary R. Fabian
 Registration No. 33,875 **Fax:** 1-571-273-8300

Re: U.S. Patent Application Serial No. 10/669,768 **Phone/Fax:** (650) 780-9030
 (Onyx Ref. ONYX1047.DIV)

Number Of Pages Including Cover Sheet: 3 (Three pages)

Message

THE ATTACHED DOCUMENTS ARE TO BE
 MADE OF OFFICIAL RECORD

Transmitted herewith for filing in the above-referenced application are the following documents:

1. Status Inquiry Regarding Petition to the Director; and
2. Certificates of Facsimile Transmission.

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SSN: 10/669,768

PATENT

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, United States Patent and Trademark Office, (Fax No. 571-273-8300) on the date indicated.

Gary N. Farison
Signature

10 Sept 2007

Date of Transmittal

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|--|-----------------------|
| In Re Application of: Shen, Y., et al. | Confirmation No. 8135 |
| Serial No.: 10/669,768 | Art Unit: 1633 |
| Filing Date: 24 September 2003 | Examiner: M. Marvich |
| Title: ADENOVIRUS E1B-55K SINGLE AMINO ACID MUTANTS AND METHODS OF USE | |

STATUS INQUIRY REGARDING PETITION TO THE DIRECTOR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On 9 July 2007 applicants filed a Petition to the Director of Technology Center 1600 under 37 C.F.R. § 1.181 Regarding an Improper Action by the Examiner in Ex Parte Prosecution, including Exhibits A, B, C, and D. The petition was filed in response to a non-final rejection, mailed 9 May 2007.

Applicants must soon respond to the non-final rejection. A decision from the Director on applicants' petition is greatly desired before applicants file a response to the non-final rejection.

Accordingly, applicants respectfully request to be informed of the status of the petition to the Director in the above-referenced case. Further, if the Director has not already acted on the petition, applicants respectfully request an estimate of the date by which the Director is expected to act on the petition.

Onyx Dkt No. ONYX1047.DIV
USSN: 10/669,768
PATENT

Authorization to Charge Deposit Account: No additional fees are believed due in connection with this paper. However, the Commissioner is hereby authorized to charge to Deposit Account No. 15-0615 (please reference ONYX 1047.DIV) any fees required for the Petition to the Director of Technology Center 1600 under 37 C.F.R. § 1.181 or any fees required by this paper under 37 C.F.R. §§ 1.16, 1.17 and 1.21, with the exception of the payment of the Issue Fee.

Respectfully submitted,

Dated: 10 Sept 2007

By : Gary R. Fabian
Gary R. Fabian, Ph.D.
Registration No. 33,875
Agent for Applicants

ONYX Pharmaceuticals, Inc.
2100 Powell Street
Emeryville, CA 94608
Phone: (510) 597-6502
Facsimile: (510) 597-6610